

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Anthony M. Bucci
Debtor(s)

Bankruptcy Case No.: 19-23349-JAD
Issued Per Oct. 21, 2019 Proceeding
Chapter: 13
Docket No.: 20 - 12
Concil. Conf.: March 12, 2020 at 01:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 28, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Mar. 12, 2020 at 01:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: ACAR Leasing LTD d/b/a GM Financial at Claim No. 4 and Claim No. 5 .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: October 24, 2019

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Anthony M. Buccì
 Debtor

Case No. 19-23349-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

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 Total Noticed: 25

Date Rcvd: Oct 24, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 26, 2019.

db
 15128864 +Anthony M. Buccì, 11613 Dartmoor Dr., North Huntingdon, PA 15642-6756
 15111102 +ACAR Leasing LTD d/b/a GM Financial Leasing, PO Box 183853, Arlington, TX 76096-3853
 15111105 +Cenlar Mortgage, 425 Phillips Blvd, Ewing, NJ 08618-1430
 15111107 +First PREMIER Bank, 3820 N Louise Ave, Sioux Falls, SD 57107-0145
 15111109 +First PREMIER Bank, Attn: Bankruptcy, PO Box 5524, Sioux Falls, SD 57117-5524
 15111110 +I.C. System, Inc., PO Box 64378, Saint Paul, MN 55164-0378
 15120096 +Midland Funding, 320 E Big Beaver Rd Ste, Troy, MI 48083-1271
 15111114 +Midland Funding, c/o Daniel Joseph Santucci, Esq., 1 International Plaza, 5th Fl, Philadelphia, PA 19113-1510
 15111115 +Santander Consumer USA, PO Box 961275, Fort Worth, TX 76161-0275
 15111116 +Total Visa/Bank of Missouri, PO Box 85710, Sioux Falls, SD 57118-5710
 15111116 Verizon Wireless, National Recovery Operations, Minneapolis, MN 55426

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr
 +E-mail/Text: kbarkley@bernsteinlaw.com Oct 25 2019 03:09:01 Duquesne Light Company,
 c/o Bernstein-Barkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 cr
 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 25 2019 03:16:35
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15111096 +E-mail/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM Oct 25 2019 03:07:55
 AmeriCredit/GM Financial, PO Box 181145, Arlington, TX 76096-1145
 15111098 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 25 2019 03:14:47 Capital One,
 PO Box 30281, Salt Lake City, UT 84130-0281
 15111100 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 25 2019 03:16:30 Capital One,
 Attn: Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285
 15117303 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 25 2019 03:14:47
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15111103 +E-mail/PDF: creditonebknofications@resurgent.com Oct 25 2019 03:14:53 Credit One Bank,
 PO Box 98872, Las Vegas, NV 89193-8872
 15111104 +E-mail/PDF: creditonebknofications@resurgent.com Oct 25 2019 03:15:48 Credit One Bank,
 Attn: Bankruptcy Department, PO Box 98873, Las Vegas, NV 89193-8873
 15111112 +E-mail/Text: bankruptcydpt@mcmcg.com Oct 25 2019 03:08:25 Midland Funding,
 2365 Northside Dr Ste 300, San Diego, CA 92108-2709
 15141279 +E-mail/Text: bankruptcydpt@mcmcg.com Oct 25 2019 03:08:25 Midland Funding LLC,
 PO Box 2011, Warren, MI 48090-2011
 15130242 +E-mail/Text: JCAP_BNC_Notices@jcap.com Oct 25 2019 03:08:42 Premier Bankcard, LLC,
 Jefferson Capital Systems LLC Assignee, PO Box 7999, Saint Cloud Mn 56302-7999
 15120543 E-mail/Text: bnc-quantum@quantum3group.com Oct 25 2019 03:08:04
 Quantum3 Group LLC as agent for, Credit Corp Solutions Inc, PO Box 788,
 Kirkland, WA 98083-0788
 15112083 +E-mail/PDF: gecsed@recoverycorp.com Oct 25 2019 03:15:34 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15111117 +E-mail/Text: wfmelectronicbankruptcyntifications@verizonwireless.com Oct 25 2019 03:07:34
 Verizon Wireless, Attn: Bankruptcy, 500 Technology Dr, Ste 550,
 Weldon Spring, MO 63304-2225

TOTAL: 14

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr
 FBC Mortgage, LLC
 15111097* +AmeriCredit/GM Financial, PO Box 181145, Arlington, TX 76096-1145
 15120080* +AmeriCredit/GM Financial, PO Box 181145, Arlington, TX 76096-1145
 15120081* +AmeriCredit/GM Financial, PO Box 181145, Arlington, TX 76096-1145
 15111099* +Capital One, PO Box 30281, Salt Lake City, UT 84130-0281
 15120082* +Capital One, PO Box 30281, Salt Lake City, UT 84130-0281
 15120083* +Capital One, PO Box 30281, Salt Lake City, UT 84130-0281
 15111101* +Capital One, Attn: Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285
 15120084* +Capital One, Attn: Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285
 15120085* +Capital One, Attn: Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285
 15120086* +Cenlar Mortgage, 425 Phillips Blvd, Ewing, NJ 08618-1430
 15120087* +Credit One Bank, PO Box 98872, Las Vegas, NV 89193-8872
 15120088* +Credit One Bank, Attn: Bankruptcy Department, PO Box 98873, Las Vegas, NV 89193-8873
 15111106* +First PREMIER Bank, 3820 N Louise Ave, Sioux Falls, SD 57107-0145
 15120089* +First PREMIER Bank, 3820 N Louise Ave, Sioux Falls, SD 57107-0145
 15120090* +First PREMIER Bank, 3820 N Louise Ave, Sioux Falls, SD 57107-0145
 15111108* +First PREMIER Bank, Attn: Bankruptcy, PO Box 5524, Sioux Falls, SD 57117-5524
 15120091* +First PREMIER Bank, Attn: Bankruptcy, PO Box 5524, Sioux Falls, SD 57117-5524
 15120092* +First PREMIER Bank, Attn: Bankruptcy, PO Box 5524, Sioux Falls, SD 57117-5524
 15120093* +I.C. System, Inc., PO Box 64378, Saint Paul, MN 55164-0378
 15111111* +Midland Funding, 320 E Big Beaver Rd Ste, Troy, MI 48083-1271
 15120094* +Midland Funding, 320 E Big Beaver Rd Ste, Troy, MI 48083-1271
 15120095* +Midland Funding, 320 E Big Beaver Rd Ste, Troy, MI 48083-1271
 15111113* +Midland Funding, 2365 Northside Dr Ste 300, San Diego, CA 92108-2709
 15120097* +Midland Funding, 2365 Northside Dr Ste 300, San Diego, CA 92108-2709

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 25

Date Rcvd: Oct 24, 2019

***** BYPASSED RECIPIENTS (continued) *****

15120098* +Midland Funding, 2365 Northside Dr Ste 300, San Diego, CA 92108-2709
15120099* +Santander Consumer USA, Po Box 961275, Fort Worth, TX 76161-0275
15120100* +Total Visa/Bank of Missouri, Po Box 85710, Sioux Falls, SD 57118-5710
15120101* Verizon Wireless, National Recovery Operations, Minneapolis, MN 55426
15120102* +Verizon Wireless, Attn: Bankruptcy, 500 Technology Dr, Ste 550,
Weldon Spring, MO 63304-2225

TOTALS: 1, * 29, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 26, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 24, 2019 at the address(es) listed below:

Abagale E. Steidl on behalf of Debtor Anthony M. Bucci asteidl@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;r53037@not
ify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com
James Warmbrodt on behalf of Creditor FBC Mortgage, LLC bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com

TOTAL: 5